

LEGISLATURE OF THE STATE OF IDAHO
Sixty-first Legislature Second Regular Session - 2012

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 682

BY APPROPRIATIONS COMMITTEE

AN ACT

APPROPRIATING MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE DIVISIONS OF MEDICAL ASSISTANCE SERVICES AND LICENSING AND CERTIFICATION FOR FISCAL YEAR 2013; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; PROVIDING FOR GENERAL FUND TRANSFERS TO THE CO-OPERATIVE WELFARE FUND; DIRECTING EXPENDITURES FOR TRUSTEE AND BENEFIT PAYMENTS; PROVIDING LEGISLATIVE INTENT FOR PROGRAM INTEGRITY; PROVIDING FOR REAPPROPRIATION OF GENERAL FUNDS; DIRECTING ADDITIONAL NURSING FACILITY ADJUSTMENT PAYMENTS; REQUIRING MONTHLY FORECAST REPORTING FOR THE MEDICAL ASSISTANCE SERVICES AND THE INDIRECT SUPPORT SERVICES DIVISIONS; PROVIDING FOR TRANSFERS IN ADDITION TO TEN PERCENT FOR MEDICAL ASSISTANCE SERVICES FOR THE COORDINATED, ENHANCED, AND BASIC MEDICAID PLANS; PROVIDING LEGISLATIVE INTENT FOR MEDICAL ASSISTANCE SERVICES FOR REPORTING THE IMPLEMENTATION OF HOUSE BILL NO. 260, AS ENACTED BY THE FIRST REGULAR SESSION OF THE SIXTY-FIRST IDAHO LEGISLATURE; PROVIDING LEGISLATIVE INTENT FOR IMPLEMENTING MEDICAID MANAGED CARE; PROVIDING GUIDANCE FOR EMPLOYEE COMPENSATION AND BENEFITS; AND DECLARING AN EMERGENCY.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. There is hereby appropriated to the Department of Health and Welfare, the following amounts to be expended according to the designated programs and expense classes, from the listed funds for the period July 1, 2012, through June 30, 2013:

	FOR PERSONNEL COSTS	FOR OPERATING EXPENDITURES	FOR CAPITAL OUTLAY	FOR TRUSTEE AND BENEFIT PAYMENTS	TOTAL
I. MEDICAL ASSISTANCE SERVICES:					
A. MEDICAID ADMINISTRATION & MEDICAL MGMT:					
FROM:					
Cooperative Welfare (General)					
Fund	\$5,498,500	\$7,829,500	\$6,000	\$1,219,200	\$14,553,200
Idaho Health Insurance Access Card					
Fund		152,000			152,000
Cooperative Welfare (Dedicated)					
Fund	10,600	9,083,800			9,094,400

	FOR	FOR	FOR	FOR	
	PERSONNEL	OPERATING	CAPITAL	TRUSTEE AND	
	COSTS	EXPENDITURES	OUTLAY	BENEFIT	TOTAL
				PAYMENTS	
5	Cooperative Welfare (Federal)				
6	Fund	<u>9,332,000</u>	<u>36,794,500</u>	<u>35,000</u>	<u>1,638,600</u>
7	TOTAL	\$14,841,100	\$53,859,800	\$41,000	\$2,857,800
8	B. COORDINATED MEDICAID PLAN:				
9	FROM:				
10	Cooperative Welfare (General)				
11	Fund			\$124,151,400	\$124,151,400
12	Hospital Assessment				
13	Fund			25,319,000	25,319,000
14	Cooperative Welfare (Dedicated)				
15	Fund			800,300	800,300
16	Cooperative Welfare (Federal)				
17	Fund			<u>269,720,100</u>	<u>269,720,100</u>
18	TOTAL			\$419,990,800	\$419,990,800
19	C. ENHANCED MEDICAID PLAN:				
20	FROM:				
21	Cooperative Welfare (General)				
22	Fund			\$219,924,900	\$219,924,900
23	Idaho Health Insurance Access Card				
24	Fund			1,551,400	1,551,400
25	Medical Assistance				
26	Fund			2,500	2,500
27	Hospital Assessment				
28	Fund			11,347,600	11,347,600
29	Cooperative Welfare (Dedicated)				
30	Fund			121,985,600	121,985,600
31	Cooperative Welfare (Federal)				
32	Fund			<u>528,950,900</u>	<u>528,950,900</u>
33	TOTAL			\$883,762,900	\$883,762,900

	FOR	FOR	FOR	FOR	
	PERSONNEL	OPERATING	CAPITAL	TRUSTEE AND	
	COSTS	EXPENDITURES	OUTLAY	BENEFIT	TOTAL
				PAYMENTS	
D. BASIC MEDICAID PLAN:					
FROM:					
Cooperative Welfare (General)					
Fund				\$115,547,700	\$115,547,700
Idaho Health Insurance Access Card					
Fund				4,077,100	4,077,100
Hospital Assessment					
Fund				22,322,700	22,322,700
Cooperative Welfare (Dedicated)					
Fund				2,971,100	2,971,100
Cooperative Welfare (Federal)					
Fund				<u>391,087,500</u>	<u>391,087,500</u>
TOTAL				\$536,006,100	\$536,006,100
DIVISION					
TOTAL	\$14,841,100	\$53,859,800	\$41,000	\$1,842,617,600	\$1,911,359,500
II. LICENSING AND CERTIFICATION:					
FROM:					
Cooperative Welfare (General)					
Fund	\$1,034,900	\$271,700			\$1,306,600
Cooperative Welfare (Dedicated)					
Fund	602,300	12,200			614,500
Cooperative Welfare (Federal)					
Fund	<u>2,505,100</u>	<u>615,100</u>			<u>3,120,200</u>
TOTAL	\$4,142,300	\$899,000			\$5,041,300
GRAND TOTAL	\$18,983,400	\$54,758,800	\$41,000	\$1,842,617,600	\$1,916,400,800

SECTION 2. FTP AUTHORIZATION. In accordance with Section 67-3519, Idaho Code, each of the divisions in the Department of Health and Welfare listed below is authorized no more than the number of full-time equivalent positions listed below at any point during the period July 1, 2012, through June 30, 2013, unless specifically authorized by the Governor. The Joint Finance-Appropriations Committee will be notified promptly of any increased positions so authorized.

Medical Assistance Services	208
Licensing and Certification	60

1 SECTION 3. GENERAL FUND TRANSFERS. As appropriated, the State Con-
2 troller shall make transfers from the General Fund to the Cooperative
3 Welfare Fund, periodically, as requested by the director of the Department
4 of Health and Welfare and approved by the Board of Examiners.

5 SECTION 4. TRUSTEE AND BENEFIT PAYMENTS. Notwithstanding the provi-
6 sions of Section 67-3511, Idaho Code, funds budgeted in the trustee and
7 benefit payments expenditure class shall not be transferred to any other
8 expense classes during fiscal year 2013.

9 SECTION 5. PROGRAM INTEGRITY. Notwithstanding any other provisions of
10 law, it is hereby declared to be the intent of the Legislature that the De-
11 partment of Health and Welfare shall be required to provide those services
12 authorized or mandated by law in each program, only to the extent of funding
13 and available resources appropriated for each budgeted program.

14 SECTION 6. GENERAL FUND REAPPROPRIATION AUTHORITY. There is hereby
15 reappropriated to the Department of Health and Welfare any unexpended and
16 unencumbered balance of General Fund moneys in the Cooperative Welfare Fund
17 as appropriated to the Coordinated Medicaid Plan, Enhanced Medicaid Plan,
18 and Basic Medicaid Plan for trustee and benefit payments for fiscal year
19 2012, to be made available for the period July 1, 2012, to June 30, 2013. The
20 reappropriation shall be computed by the Department of Health and Welfare
21 and, for budgeting purposes, any General Fund portion of the balance in the
22 Cooperative Welfare Fund from trustee and benefit payments in the Medical
23 Assistance Services Division, in the programs identified herein, shall be
24 identified as part of the General Fund. The reappropriation for the General
25 Fund portion of the Cooperative Welfare Fund granted in this section shall be
26 subject to the following provisions: (1) If the unexpended and unencumbered
27 balance in the General Fund on June 30, 2012, is zero, the reappropriation
28 for the General Fund in this section is hereby declared to be null and void:
29 (2) If the unexpended and unencumbered balance in the General Fund on June
30 30, 2012, is greater than zero, but less than the total General Fund reappro-
31 priation authority granted to all state agencies, the amount reappropriated
32 in this section shall be in the proportion that the reappropriation of this
33 agency bears to the total General Fund reappropriation authority granted to
34 all state agencies.

35 SECTION 7. NURSING FACILITY ADJUSTMENT PAYMENTS. Notwithstanding the
36 provisions of Section 56-1511, Idaho Code, with the exceptions noted herein,
37 and pending the availability of General Fund resources, the Department of
38 Health and Welfare shall devote \$1,500,000 of unexpended and unencumbered
39 funds for fiscal year 2012 to decrease the portion of the Nursing Facility
40 Assessment referred to as the "Nursing Facility Gap/Trustee and Benefit
41 Assessment." The Nursing Facility Gap/Trustee and Benefit Assessment is
42 the portion of the assessment attributable to the provisions of Section
43 56-1504(3)(g), Idaho Code. In doing so, the \$13,500,000 currently bud-
44 geted from the Nursing Facility Gap/Trustee and Benefit Assessment shall
45 decrease to \$12,000,000, allowing a like increase in available Nursing
46 Facility Assessment moneys to devote to the Nursing Home Upper Payment

1 Limit Assessment, resulting in a net zero impact to overall Nursing Home
2 Assessment Payments. As soon as practicable, the Department of Health and
3 Welfare shall issue additional Nursing Facility Adjustment Payments as de-
4 fined in Section 56-1511, Idaho Code. The distribution methodology for the
5 additional Nursing Facility Adjustment Payments shall be consistent with
6 Section 56-1511, Idaho Code.

7 SECTION 8. ACTUAL AND FORECAST DETAIL REPORTING. The Department of
8 Health and Welfare Medical Assistance Services Division and Indirect Sup-
9 port Services Division shall deliver on a monthly basis to the Legislative
10 Services Office and Division of Financial Management a report that compares
11 the Medicaid Forecast used to set the budget to actual expenditures and
12 remaining forecasted expenditures. The format of the report, and the in-
13 formation included therein, shall be determined by the Legislative Services
14 Office and Division of Financial Management.

15 SECTION 9. TRANSFER OF APPROPRIATIONS. Notwithstanding the provisions
16 of Section 67-3511, Idaho Code, funding provided for the trustee and bene-
17 fit payments expenditure class in the Medical Assistance Services Division
18 may be transferred in excess of ten percent (10%) among the Coordinated Med-
19 icaid Plan, Enhanced Medicaid Plan, and Basic Medicaid Plan, but shall not be
20 transferred to any other budgeted programs or expenditure classes within the
21 Department of Health and Welfare during fiscal year 2013.

22 SECTION 10. REPORTING ON IMPLEMENTATION OF HOUSE BILL NO. 260 OF 2011.
23 The Medical Assistance Services Division shall report on a quarterly basis
24 the status of the implementation of House Bill No. 260, as enacted by the
25 First Regular Session of the Sixty-first Idaho Legislature, to the Leg-
26 islative Services Office and Division of Financial Management. The report
27 shall, at a minimum, include benefit modification implementation updates
28 on both long-term and short-term changes, and actual cost savings realized
29 as a result of those changes compared to estimated savings for each modifi-
30 cation. The format of the report, and information contained therein, shall
31 be determined by the Legislative Services Office and Division of Financial
32 Management.

33 SECTION 11. MEDICAID MANAGED CARE IMPLEMENTATION. The Medical Assis-
34 tance Services Division shall deliver the Medicaid Managed Care actuarial
35 analysis required in House Bill No. 260, as enacted by the First Regular Ses-
36 sion of the Sixty-first Idaho Legislature, upon completion. Further, in ac-
37 knowledgment of the associated funding provided in Section 1 of this act for
38 development of an Idaho Managed Care Implementation Plan, the Medical Assis-
39 tance Services Division shall submit written reports not less than quarterly
40 to the Legislative Services Office and Division of Financial Management on
41 the progress of the Idaho Managed Care Implementation Plan development. The
42 format of the quarterly report, and the information contained therein, shall
43 be determined by the Legislative Services Office and Division of Financial
44 Management. It is the intent of the Legislature that the Idaho Managed Care
45 Implementation Plan shall be complete by June 30, 2013, and provided to the

1 Legislative Services Office and Division of Financial Management upon com-
2 pletion.

3 SECTION 12. EMPLOYEE COMPENSATION AND BENEFITS. The Legislature rec-
4 ognizes and thanks all state workers for their dedication, professionalism
5 and for the personal sacrifices they make every day in the performance of
6 their duties to serve our citizens. In accordance with the provisions of
7 Section 67-5309C, Idaho Code, the Legislature supports the Governor's rec-
8 ommendation in not making changes in annual salaries and benefits for state
9 employees based upon labor markets or specific occupational inequities; di-
10 rects agencies and institutions that have excess personnel cost appropria-
11 tions or salary savings due to turnover to use such funding for a merit in-
12 crease component, notwithstanding the provisions of Section 67-5309B(4),
13 Idaho Code, to recognize and reward permanent and temporary state employees;
14 and does provide funding to agencies and institutions to provide a two per-
15 cent (2%) pay increase for all classified and nonclassified permanent per-
16 forming employees. Performing employees shall be all permanent employees,
17 including adjunct faculty at colleges and universities, who have been rated
18 as "achieves" or better on a performance plan if required by Division of Hu-
19 man Resources rule, including probationary permanent employees making sat-
20 isfactory progress. The Legislature supports the Governor's recommendation
21 to fund increases in the cost of health insurance benefits and directs the
22 director of the Department of Administration, as the administrator of the
23 state insurance plan, to maintain the current benefit package to the extent
24 possible, which may require a cost sharing on the part of employees for the
25 increased cost of the health insurance plan.

26 SECTION 13. An emergency existing therefor, which emergency is hereby
27 declared to exist, Section 7 of this act shall be in full force and effect on
28 and after passage and approval.